



**FREDERICK COUNTY PLANNING COMMISSION**  
**May 8, 2013**

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**TITLE:** **Westview South Lot 110**

**FILE NUMBER:** **SP 98-36, AP #13360, APFO #13348, FRO #13349**

**REQUEST:** **Site Plan Approval**

The Applicant is requesting Site Plan approval for a 117 room hotel, on a 3.50-acre site known as Lot 110 within the Westview South 100 Series Lots.

**PROJECT INFORMATION:**

**ADDRESS/LOCATION:** Located on the south west corner of MD 85 and Executive Way

**TAX MAP/PARCEL:** Tax Map 86, Parcel 269  
**COMP. PLAN:** Office/Research Industrial  
**ZONING:** Mixed Use Development  
**PLANNING REGION:** Frederick  
**WATER/SEWER:** W-3/S-3

**APPLICANT/REPRESENTATIVES:**

**APPLICANT:** Matan Companies  
**OWNER:** Matan Companies  
**ENGINEER:** Harris, Smariga & Associates, Inc.  
**ARCHITECT:**  
**ATTORNEY:**

**STAFF:** Tolson DeSa, Principal Planner II

**RECOMMENDATION:** Conditional Approval

**ATTACHMENTS:**

Exhibit 1- Westview South Lot 110 Site Plan Rendering  
Exhibit 2- Westview South Architectural Rendering  
Exhibit 3- Westview South Lot 110 Hotel Loading Space Modification Statement

# STAFF REPORT

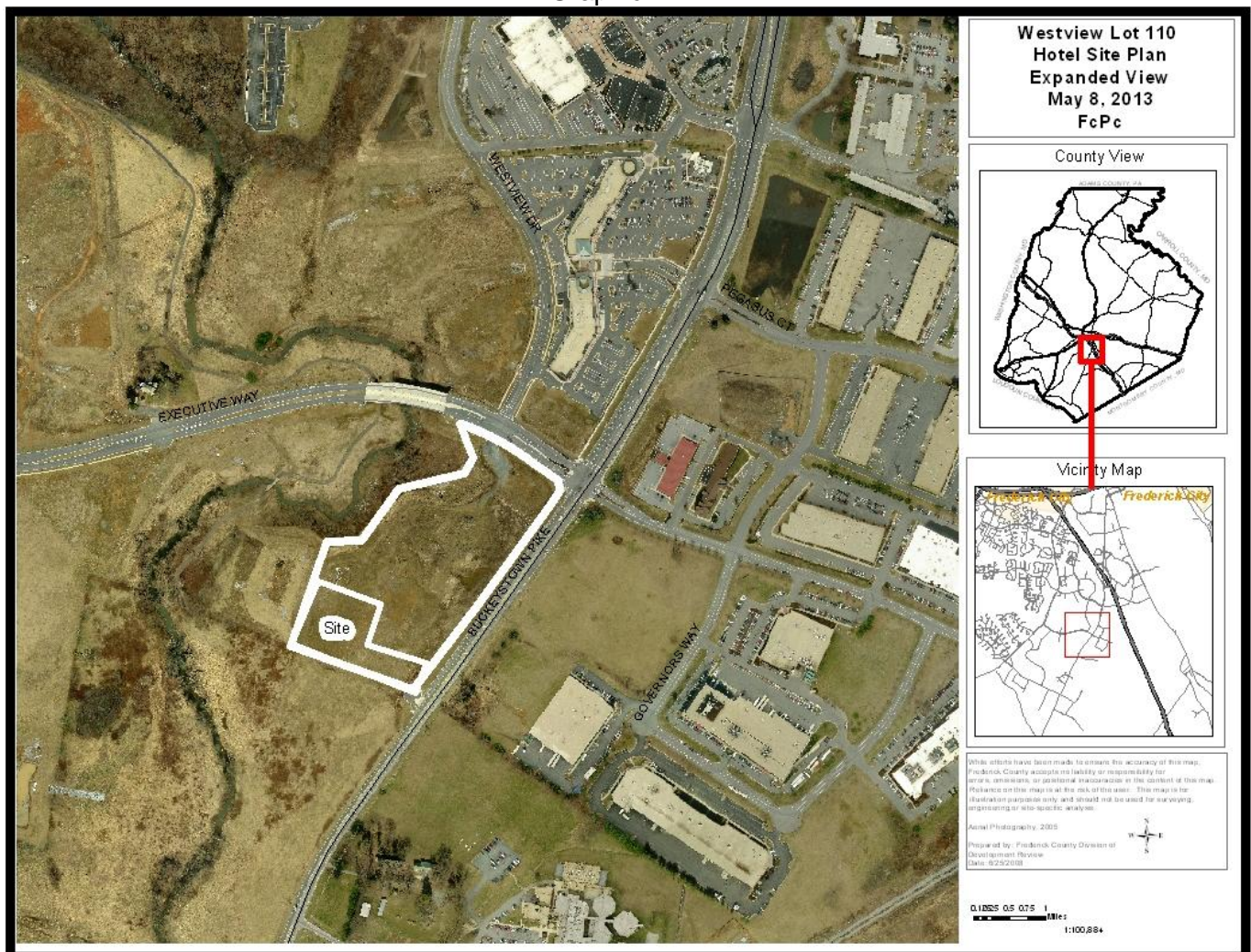
## ISSUE

### Development Request

The Applicant is requesting Site Plan approval for a 117 room hotel, on a 3.50-acre site known as Lot 110 within the Westview South 100 Series Lots; see Exhibit #1, located on the corner of MD 85 and Executive Way. See Graphic #1 below.

The proposed use is being reviewed as a "Motel/Hotel" land use under the heading of *Temporary Housing* per §1-19-5.310 Use Table in the Zoning Ordinance. The site is designated for commercial development on the approved Westview South Phase I plan. Under the MXD regulations in effect at the time of MXD approval permitted commercial uses include: All uses permitted in the General Commercial District of the zoning ordinance with the exception of auction house; lumber yard; mobile home sales; boat sales and service; farm equipment sales and service; carpentry, electric, plumbing, welding, printing and upholstering establishments; contractors, fencing, pool and siding; agricultural products processing; bottling plant; stone monument processing and sales; bus depot; recycling centers; animal auction sales; racetrack; and solid waste transfer stations. In accordance with these requirements, 'Motel/Hotel' is a principal permitted use in the General Commercial Zoning District subject to site development plan approval.

Graphic #1



Westview South Lot 110 Hotel Site Plan

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## **BACKGROUND**

### **Development History**

**Overview:** In 1994 the Board of County Commissioners (BOCC) granted the MXD Floating Zone classification for the 377-acre Westview South development that included acreage that is the subject of the current proposed Site Plan application. On February 12, 2003 the Frederick County Planning Commission (FCPC) reviewed and approved a Preliminary Plan for 31 MXD lots on the 200.7 acre tract. The FCPC reviewed this item in July and October of 2002 as an informational item.

**Rezoning:** The 1994 re-zoning contained a residential component. A small portion of land on the northern portion of Westview is partially built with townhouses. The larger bulk of the residential portion was located on the southern portion of Westview. However, that residential portion was removed in 2001 by the BOCC. The conditions of re-zoning were also amended with the 2001 re-approval (Ordinance 01-15-289 CASE # R-00-02).

The 2003 approved plan showed five lots on the area of this Site Plan application. The Preliminary Plan was signed in April 2005, and the APFO Letter of Understanding was signed by all parties in September 2005.

The approved Preliminary Plan with 31 lots was granted a three-year approval period with an expiration date of February 12, 2006. AP 9099 was approved in 2009 which extended APFO approval until 2/12/2016. The 2011 extension ordinance increased the expiration date to 2/12/2019.

On May 8, 2013 the FCPC reviewed a revision to the 2003 Preliminary Plan for Lot 102; the 2013 revision reconfigured the five approved lots into six commercial lots centered on a private through street known as Westview Drive (extended).

**Previous Site Plan Approvals and Construction Activity:** This is the fifth Site Plan application in the Westview South MXD to be reviewed by the FcPc.

Below is a summary of the four previous Site Plan approvals for other portions of the Westview South MXD:

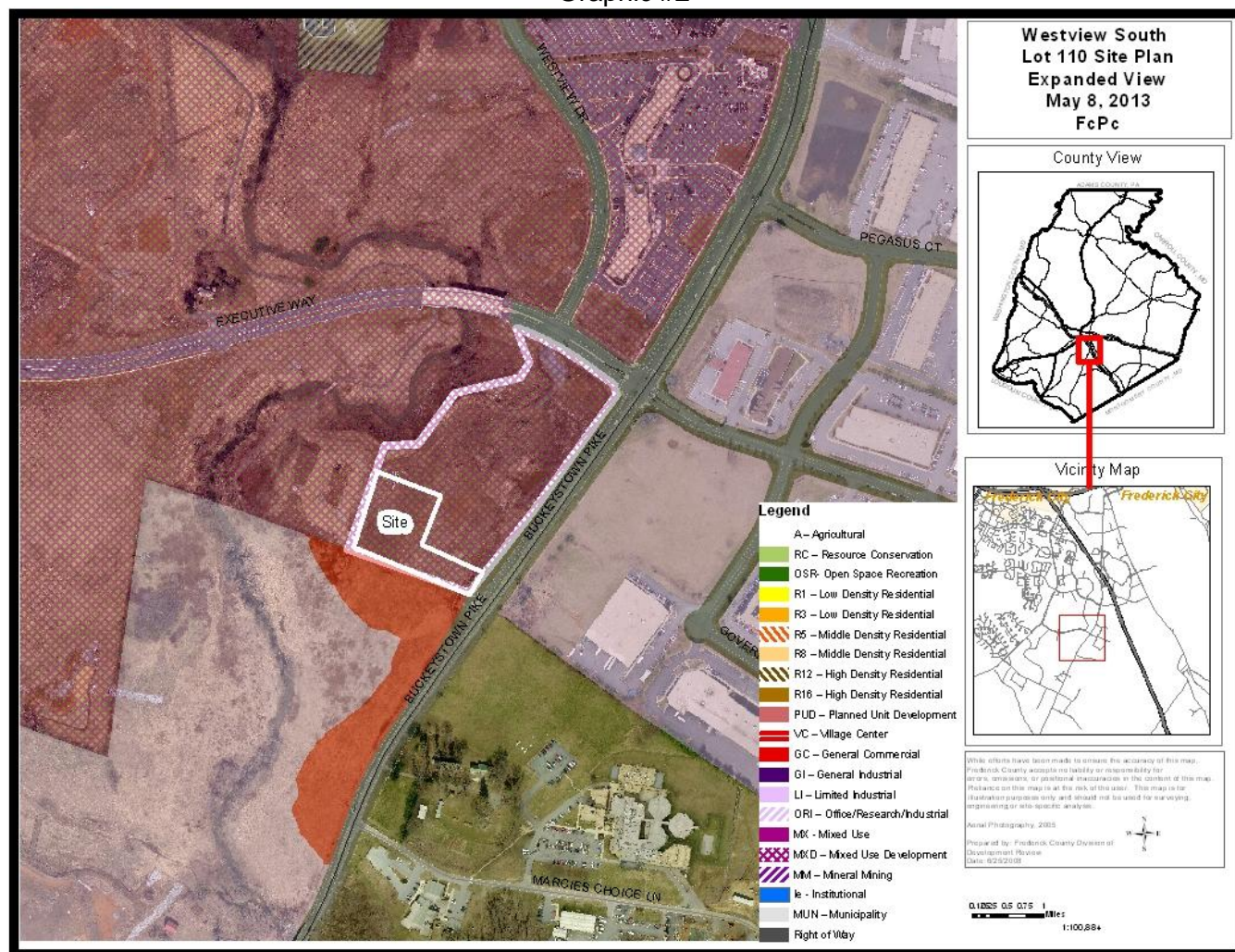
- In September 2005 the FcPc reviewed and conditionally approved the Saul Center Site Plan, which is a mixed-use office/retail development and is located on the east side of Westview South. That site is currently under construction.
- In May 2006 the FcPc reviewed and conditionally approved the Abrams, Lot #210 Site Plan. Lot # 210 is located at the corner of New Design Road and Executive Way, adjacent to the Wedgewood Business Park and is fully built.
- In November 2007 the FcPc approved Abrams, Lot # 208. Lot # 208 is not built.
- April 9, 2009 Executive Court North Lots 301-305, there no buildings are constructed on any of the lots.



## Existing Site Characteristics

The site is currently zoned Mixed Use Development (MXD), is a vacant parcel, is designated for commercial development on the approved Westview South Phase I plan. The property to the north and west of the site is vacant and also zoned MXD with approval for the Westview South Office/Research Center. See Graphic #2 below.

Graphic #2



## ANALYSIS

### Summary of Development Standards Findings and Conclusions

The principle issues associated with this revision to a previously approved Preliminary Plan was achieving the most appropriate design of the private drive (Westview Drive extended). Staff worked with the Applicant to design the private road as close to the public spine standards as possible while still achieving a smaller pedestrian oriented "town center" scale and feel. A right-in/right-out connection with MD 85 was proposed and dedicated to public use and shows a right of access easement to provide access for those developing to the south.

The overall design of the development is crucial and it must relate well to nearby projects as well as MD 85. The buildings to be developed on lots 106, 107, 108, 109, and 111 will face the private street; therefore, on-site parking should be placed to the side and rear of the buildings to maximize the "town center" focus. In addition, the building restriction lines for Lots 110 and 111 were also adjusted in order to keep all building area outside of the 100 year Floodplain and the 25 foot floodplain buffer.

## Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria, the General Development Standards within the Planned Development Districts in section 1-19-10.500.9 of the Frederick County zoning ordinance, and subject to ordinance 1-15-289.

**Site Development §1-19-3.300.4 (A):** *Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

### **Findings/Conclusions**

1. **Dimensional Requirements/Bulk Standards §1-19-6.100:** The proposed Site Development Plan adheres to the lot dimensions that were reviewed and approved by FCPC during the Preliminary Plan approvals for the Westview South MXD.

The proposed setbacks for the Lot 110 Hotel are the following:

	<b><u>Required</u></b>	<b><u>Proposed</u></b>
Minimum Lot Area	Varies	3.50 acres
Minimum Lot Width	Varies	52'
Front Yard	25'	68'
Rear Yard	20'	85'
Side Yard	15'	31'
Max Building Height	60'	42' roof deck, 52' parapet

2. **Signage §1-19-6.300:** The Applicant is permitted to have 168 square feet of signage based on the wlength of the proposed structure. The signage calculation is listed in Site Plan Note #14 on Sheet 1 of the site plan. The Applicant is proposing a combination of building mounted signage as well as a pylon sign to be placed at the corner of Lot 110. The proposed amount signage meets the requirements of the zoning ordinance.
3. **Landscaping §1-19-6.400:** The Applicant has provided a landscaping plan on Sheet 2 of the site plan. The landscaping plan proposes a mixed of evergreen and deciduous tree species in order to be compliant with the zoning ordinance as well as increase the aesthetic of the site and overall development. The proposed landscaping meets the requirements listed in 1-19-6.400 of the Zoning Ordinance.
4. **Screening §1-19-6.400:** The majority of the parking areas are located in the side and rear of the proposed hotel. The remaining parking areas located off of the proposed private drive is screened from the private road through the use of a mix of evergreen shrubs and deciduous trees.
5. **Lighting §1-19-6.500:** The Applicant has proposed a lighting plan, which is shown on Sheet 3 of the site plan. The lighting plan adheres to the requirements of 1-19-6.500 and does not show any light spillage over 0.5 foot candles, with the exception of the entry drive and slight spillage along the spine road. Both amounts of spillage are at acceptable levels and locations for public safety and circulation and do not require a lighting modification in accordance with Staff policy associated with 1-19-6.500.

The proposed Lot 110 meets the general development standards as provided in § 1-19-10.500.9.

(A) Site and building design:

- a. The overall design of the proposed structure is generally consistent with the existing development throughout the Westview South project and is in accordance with the zoning conditions and the general development standards of section 1-19-10.500.9, see Exhibit #2. However, there is some concern with the potential for a long expanse of undifferentiated façade particularly with the ‘Eifs” on the upper floors. To that end, staff recommends consideration of slight alterations to the proposed building façade. As an example, the stone face of the first two floors on the projecting features could be carried up to the top floor to break up the long expanse of ‘eifs’ on the upper floors. Any additional design feature should be carried out on the other ‘public ‘facing facades particularly facing the private street. In an effort to remain cost neutral for the project, the rear façade could hold the stonework at the first floor elevation and not carry it up to the second floor as depicted.

(B) Natural Features:

- a. The natural features there are 100 year Floodplain and flooding soils areas along the northern boundary of Lots 110 and 111. The lot setbacks have been adjusted to keep the building envelopes outside of the 100 Floodplain and the 25’ buffer. Therefore the proposed site plan meets the Natural Features regulations within 1-19-10.500.9.

(C) Public Facilities and Utilities:

- a. Public Water and Sewer: The site is to be served by public water and sewer and is classified W-3, S-3. The entire site is in pressure Zone #1 with water coming from the New Design Road Water Treatment Facility and Sewer flowing into the Ballenger McKinney Wastewater Treatment Facility. Therefore, the proposed site plan meets the Public Facilities and Utilities regulations within 1-19-10.500.9.

***Transportation and Parking §1-19-3.300.4 (B):*** *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

**Findings/Conclusions**

1. **Access:** All of the proposed lots will take access from the proposed private drive, known as Westview Drive (extended). The proposed private drive will gain access from the existing arterial road Executive Way, which connects MD 85 with New Design Road. The proposed private drive will terminate in another shared drive that will run east/west, between the Westview property and the Russell property. A continuous 5’ wide sidewalk will run continuous on both sides and on-street parking will be provided on the east side. There is a right in, right out ingress/egress onto MD 85 which is proposed at the southern end of the site. This access point will be dedicated to public use, and will provide an eventual shared access into the Russell Property.

Lot 110 is proposed to have four points of access off of the proposed Westview Drive. The northern most access will serve as a shared access point with the yet to be developed Lot 111. The main hotel entrance will be south of the shared drive with Lot 111. This access point also provides access to the rear of the hotel and the proposed shared drive on the southern property border to the site. There are also two access points into a side parking lot for the hotel. All access points are designed to provide two-way access into and out of Lot 110.

2. **Connectivity §1-19-6.220 (F):** The proposed site will take access from the proposed private drive, known as Westview Drive (extended). The site is well connected to Executive Way to the north and the shared drive to the south extending toward MD 85.
3. **Public Transit:** This site is not served directly by Transit.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** In accordance with the parking target requirements for hotels one space is required for every sleeping room, plus 1 space for every 2 employees.

Therefore, the target is 117 spaces plus 7.5 for the total number of employees per shift, for a total of 125, with 5 ADA accessible spaces. The Applicant has provided 120 spaces, including the 5 ADA spaces.

In accordance with §1-19-6.220.A.1, the Applicant is seeking a 5 space reduction from the target number of parking spaces, due to institutional knowledge of the parking requirements associated with the hotel, combined with a employee number that will rarely be 15 employees during any shift. Staff supports the reduction of 5 spaces from the target parking number.

The Applicant has submitted a loading space modification request in accordance with Zoning Ordinance section 1-19-6.210.D, see Exhibit #3. The hotel does not have the need for any large tractor trailer loading. Any deliveries typically occur at the entrance; this design reduces impervious coverage and is a proven design throughout the Applicant's other hotel locations. Staff supports this loading space modification.

5. **Bicycle Parking §1-19-6.220 (H):** The Applicant is required to provide 6 bike racks; the Applicant has provided 6 bike racks at the entrance of the hotel.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The proposed Site Development Plan includes sidewalks along both sides of the proposed private drive. The Applicant is also proposing crosswalks across Executive Way which will give pedestrians access to the Ballenger Creek Trail.

**Public Utilities §1-19-3.300.4 (C):** *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

### **Findings/Conclusions**

1. **Public Water and Sewer:** The site is to be served by public water and sewer and is classified W-3, S-3. The entire site is in pressure Zone #1 with water coming from the New Design Road Water Treatment Facility and Sewer flowing into the Ballenger McKinney Wastewater Treatment Facility.

**Natural features §1-19-3.300.4 (D):** Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

### **Findings/Conclusions**

- 1. Topography:** The site is relatively flat with a slight raise in elevation from MD 85 in the center of the site.
- 2. Vegetation:** The site is mostly free of vegetation with the exception of the 100/yr Floodplain areas to the north. There are large trees throughout the floodplain as well as the 25' buffer.
- 3. Sensitive Resources:** The Ballenger Creek stream runs along the northern end of the adjacent lot 111. There are 100 year Floodplain areas along the northern boundary of Lots 110 and 111. The lot setbacks have been adjusted to keep the building envelopes outside of the floodplain and the 25' buffer.
- 4. Natural Hazards:** There are 100 year Floodplain and flooding soils areas along the northern boundary of Lots 110 and 111. The lot setbacks have been adjusted to keep the building envelopes outside of the floodplain and the 25' buffer.

### **Other Applicable Regulations**

**Stormwater Management – Chapter §1-15.2:** Stormwater management has been provided in existing approved regional pond (AP#2588). A surface sand filter provides water quality requirements. A waiver of channel protection volume was granted on 8/3/05. Mass grading (AP#2588), was approved on July 22, 2005, and amended for stormwater management AP#12688, on July 2, 2012.

**APFO – Chapter §1-20:** Adequate public facilities was approved by the FCPC on September 14, 2005, due to County extension ordinances in 2009 and 2011, the approval date was extended until February 12, 2019.

**Forest Resource – Chapter §1-21:** FRO was reviewed and approved for this tract under AP# 7278.

**Historic Preservation – Chapter §1-23:** There are no historic resources located on this tract.

### **Summary of Agency Comments**

<b>Other Agency or Ordinance Requirements</b>	<b>Comment</b>
<b>Development Review Engineering (DRE):</b>	Conditional Approval
<b>Development Review Planning:</b>	Address agency comments as plan proceeds through to completion
<b>State Highway Administration (SHA):</b>	Conditional Approval
<b>Div. of Utilities and Solid Waste Mngt. (DUSWM):</b>	Conditional Approval
<b>Health Dept.</b>	Conditional Approval
<b>Office of Life Safety</b>	Approved
<b>DPDR Traffic Engineering</b>	Approved
<b>Historic Preservation</b>	N/A



## **RECOMMENDATION**

Staff has no objection to conditional approval of the site plan for Lot 110. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.
2. Approval of the requested parking space modification in accordance with 1-19-6.220.A
3. Work with and submit to staff the final architectural to improve or enhance the facades particularly with south and east facing 'public' facades in accordance with 1-19-10-500.9
4. Approval of the request loading space modification in accordance with 1-19-6.210.D.

## **PLANNING COMMISSION ACTION**

### **MOTION TO APPROVE**

I move that the Planning Commission **APPROVE** SP 98-36 **with conditions and modifications** as listed in the staff report for the proposed Lot 110 site plan, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

# Exhibit #1 Westview South Lot 110 Site Plan Rendering



## Westview South Lot 110 Hotel Site Plan

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Exhibit #2 Westview South Lot 110 Site Plan Architectural Rendering

Figure 1 - Submitted Architecture





**Harris, Smariga & Associates, Inc.**

Planners/Engineers/Surveyors  
125 S. Carroll Street, Suite 100/Frederick, MD 21701  
301-662-4488/FAX 301-662-4906

April 29, 2013

Tolson DeSa  
Frederick County Development Review  
30 N. Market Street  
Frederick, MD 21701

Re: Loading Space Modifications – Westview South Springwood Hotel  
HSA Job No. 7281

Dear Tolson:

I have talked to the owner of the Springwood Hotel in Westview and they have confirmed that they do not need a designated loading space for tractor trailers. Deliveries typically occur at the entrance and can be accommodated in the design that you see on the plan. The lack of a loading space reduces impervious surface and increases the efficiency of the operation. Interference with guests and staff is not an issue at their other locations where this occurs.

We look forward to discussing this with the Planning Commission at the hearing.

Sincerely,

Chris Smariga

President

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